

August 18, 2003

TO: Internal File

THRU: Pricilla Burton, Team Lead

FROM: David Darby, Senior Reclamation Specialist

RE: Post Mining Land Use Change, UtahAmerican Energy, Inc., Horse Canyon Mine, C/007/0013, Task ID #1630

SUMMARY:

On July 11, 2003 the Division received an amendment to the MRP from Utah American Energy, Inc. requesting a change to the post mining land use for the disturbed areas remaining at the Horse Canyon Mine. Several areas have been were not reclaimed with the phased reclamation of the Horse Canyon Mine. Some of the minesite has been reclaimed including pads and ditches behind the buildings, the coal refuse pile and the disturbed drainage ditch at the refuse site and Sedimentation Pond #2. These areas have been called the “excluded areas”. They consist of the buildings and pad, a portal and pad, a water tank, an old powder storage building and Sedimentation Pond #1. They were excluded from reclamation, because it was anticipated that they would be used in conjunction with operation with the Lila Canyon Mine, if it were to come into operation.

The proposed change to the post mining land use will also involve a change in ownership of the property. The existing industrial site will be transformed to a recreational/residential post mining land use. The facilities will not be regulated under SMCRA after the land exchange.

TECHNICAL MEMO

RECLAMATION PLAN

POSTMINING LAND USES

Regulatory Reference: 30 CFR Sec. 784.15, 784.200, 785.16, 817.133; R645-301-412, -301-413, -301-414, -302-270, -302-271, -302-272, -302-273, -302-274, -302-275.

Analysis:

The post mining land use will be changed from wildlife to residential/recreation. UtahAmerican plans to donate the property to The Center for Mine Land Redevelopment and/or the College of Eastern Utah, who will construct and run a science field camp for Utah Universities.

The site is an ideal location for establishing a science camp because it sits in a central location to gain access to several unique locations. The geologic formations are well exposed in southeastern Utah, which reveal a long history of depositional environments. There are also several unique land features that can be seen and visited in a few hours travel. The Book Cliffs and Wasatch Plateau reveal a geologic history as old 300 million years. One can stand on the rim of the Book Cliffs and see the San Rafael Swell and Henry Mountains. The San Rafael Swell is located south of the site and exhibits canyons deeply carved into Early Mesozoic formations, uplifted as a dome feature during the Laramide Orogenic period. The Henry Mountains are intrusive laccoliths also of the Laramide Orogenic period.

The area surrounding the proposed science camp also contains several mineral and ecological resources. Coal mines are found in the Blackhawk Formation of the Wasatch Plateau and Book Cliffs and the Ferron Sandstone Member of the Mancos Shale in Castle Valley near Emery, Utah. The Ferron Sandstone Member is also a recently developed source of coal bed methane. There have been mineral mines developed in the past producing uranium in the San Rafael Swell, and gold mines in the Henry Mountains. These areas also reveal paleontological sites and archeological areas.

Findings:

The site is an ideal location for the post mining land use of a science field camp. It is recommended that the post mining land use for a Science Field Camp be approved.

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 784.14, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-301-512, -301-513, -301-514, -301-515, -301-532, -301-533, -301-542, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-733, -301-742, -301-743, -301-750, -301-751, -301-760, -301-761.

Analysis:

Hydrologic Reclamation Plan

A change in the post mining land use to residential/recreation (science field camp) will relieve the mine from reclaiming most hydrologic structures that are associated with the minesite. The ditches, berms and silt fences will be used by the new owner.

UtahAmerican holds a UPDES permit associated with Sedimentation Pond #2. The Utah Division of Water Quality will not release UtahAmerican's UPDES permit unless they first have confirmation that one of the following activities occurs before they agree to the release:

- 1) The new owner applies for a UPDES permit if the sedimentation pond is to remain with a discharge mechanism; or
- 2) The decant should be either removed or permanently sealed; or
- 3) The sedimentation pond embankment be removed, regraded and and revegetated.

The applicant needs to identify which option would best fit the reclamation program from the options above. This would require contacting the new owner to find if they would obtain a UPDES permit. The second option would require plans to show how the decant structure would be reclaimed. The second option may require a water right if removing the decant causes water to be stored in the sedimentation pond. The applicant should check with the Utah Division of Water Rights to find out if a water right needs to be filed.

Findings:

The information provided does not meet the Hydrologic Reclamation Information requirements of the regulations. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-761, The applicant should identify which option for resolution of the UPDES permit would best fit the reclamation program and submit plans for that option.

MAPS, PLANS, AND CROSS SECTIONS OF RECLAMATION OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-323, -301-512, -301-521, -301-542, -301-632, -301-731.

TECHNICAL MEMO

Analysis:

In the previous section the applicant is asked to provide information about the final disposition of the sedimentation pond that reflects the best option for reclamation. Final reclamation maps and cross-sections should accompany the proposed option.

Findings:

The information provided does not meet the Reclamation Maps and Plans requirements of the regulations. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-731, The applicant shall submit final reclamation maps and cross-sections for the reclamation of the UPDES discharge point at Sediment Pond #2 (see also deficiency under R645-301-761).

CUMULATIVE HYDROLOGIC IMPACT ASSESSMENT

Regulatory Reference: 30 CFR Sec. 784.14; R645-301-730.

The CHIA will be changed to reflect final changes accepted by DOGM.

RECOMENDATIONS:

The permit application package is deficient with regards to the finding above. It is not recommended for approval.